

PLANNING COMMISSION

201403938

5996 Lake Forrest Drive

**Applicant: Paramount Community
Builders**



201403938 5996 Lake Forrest Drive

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

APPROVAL CONDITIONAL

Discussion:

To rezone the subject properties from R-1 (Single Family Dwelling District) to TR (Townhouse Residential District), with concurrent variances to allow 10 townhomes.

Additionally, the applicant is requesting four (4) concurrent variances from the Zoning Ordinance as follows:

1. Variance from 4.23.1 to reduce the front landscape (Lake Forrest Drive) from 40 feet to 20 feet.
2. Variance from 7.2.3.G.4 to reduce the front yard perimeter setback (Lake Forrest Drive) from 40 feet to 20 feet.
3. Variance from 7.2.3.G.5 to reduce the side adjacent to a street (Hammond Drive) setback from 40 feet to 30 feet.
4. Variance from 12B.4 to allow the existing streetscape on a street (Hammond Drive) to remain.

PROPERTY INFORMATION

Address, Land Lot, and District	5996 Lake Forrest Drive Land Lot 123, District 17
Council District	3 (Graham McDonald)
Frontage	240.74 feet of frontage along the east side of Lake Forrest Drive and 402 feet along the south side of Hammond Drive
Area	2.436 Acres
Existing Zoning and Use	R-1 (Single Family Dwelling District), currently developed with a Single Family Dwelling.
Overlay District	Suburban Overlay District
2027 Comprehensive Future Land Use Map Designation	R5-8 (5-8 units per acre)
Proposed Zoning	TR (Townhouse Residential District)

APPLICANT/PETITIONER INFORMATION

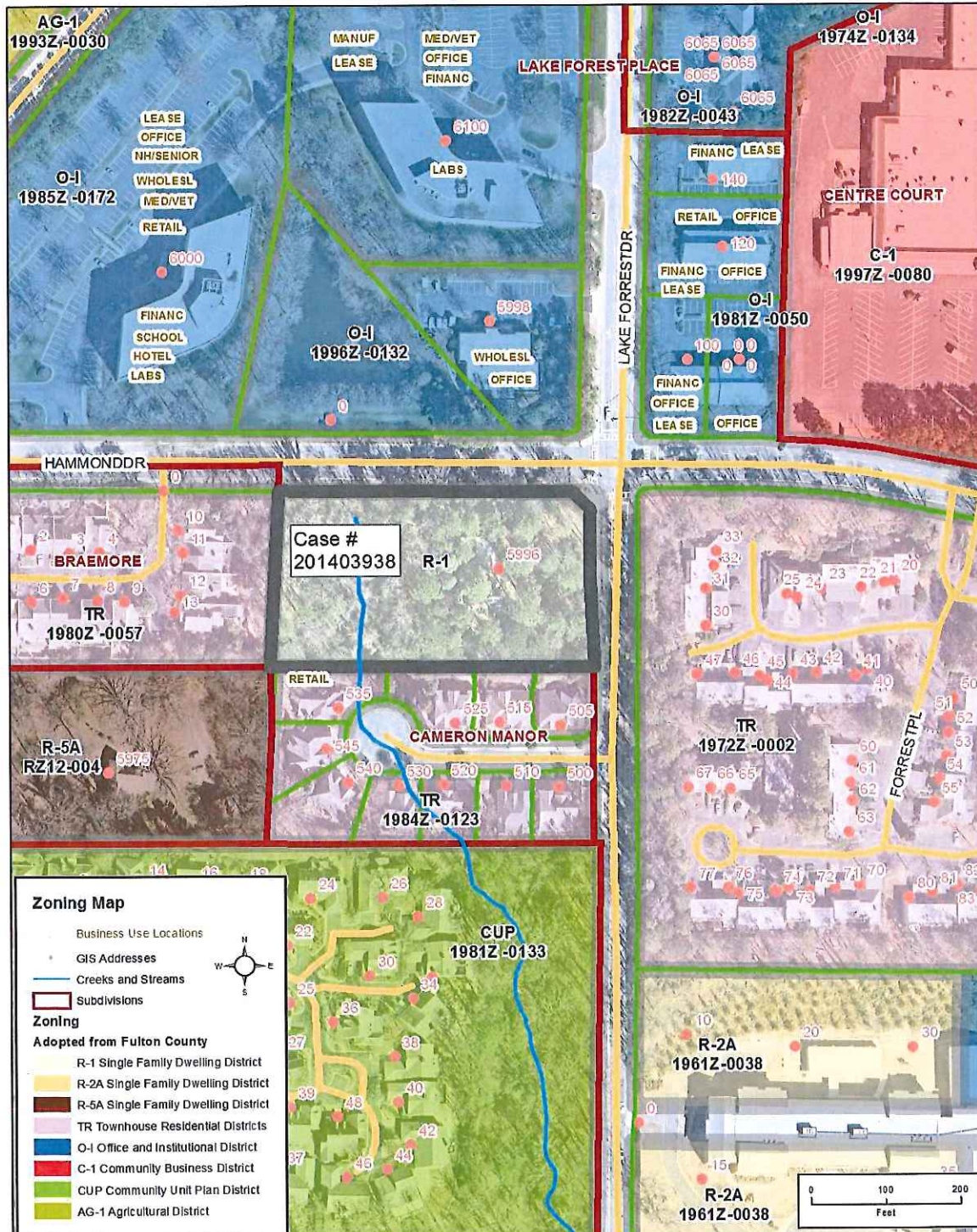
Property Owner Estate of Margaret Weill		Petitioner Paramount Community Builders	Representative Renette W.C. Todd
Community Zoning Information Meeting November 25, 2014	Community Developer Resolution Meeting December 17, 2014	Planning Commission Hearing January 15, 2015	Mayor and City Council Hearing February 17, 2015

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY					
SUBJECT PETITION 201403938	Requested Zoning	Proposed Use	Land Area (Acres)	Square Footage/ Units	Density (Square Footage per Acre)
	TR	Townhomes	2.43	10 units	4.12 units/ac

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage/ units	Density (Square Feet or Units Per Acre)
North	O-I Z96-0132	5998 Lake Forrest Drive (Office)	2.478	8,000 sf	3,150 sf/acre
East	TR Z72-0002	Townhomes (Forrest Place)	9.264	60 units	6.476 units/acre
South	TR Z84-123	Fee-simple Single-family Dwellings (Cameron Manor)	2.53	10 units	3.95 units/acre
West	TR Z80-057	Townhomes (Braemore)	2.45	15 units	6.12 units/acre

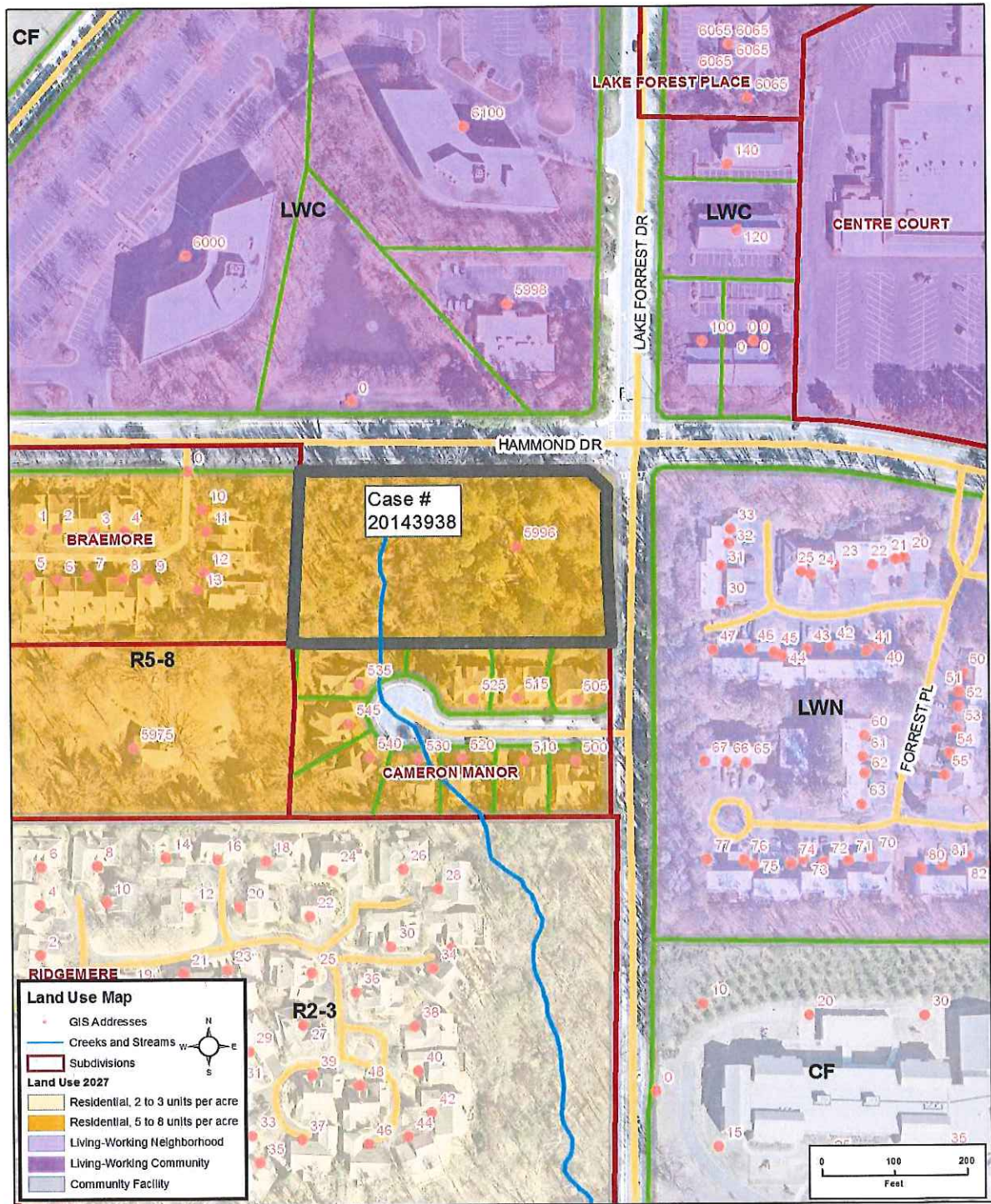
Zoning Map

5996 Lake Forrest Drive



Future Land Use Map

5996 Lake Forrest Drive



Prepared by the City of Sandy Springs Department of Community Development for the Planning Commission Meeting January 15, 2015

ZONING IMPACT ANALYSIS

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Findings: The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of O-I to the North; TR (Townhouse Residential District) to the east, south, and west; and R-5A at the southwest corner of the subject property.

B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Findings: The staff is of the opinion that the proposal if approved would not have an adverse impact on the use or usability of adjacent or nearby properties. The Future Land Use map recommends R5-8 (Residential 5 to 8 units per acre). The proposed density of 4.1 dwelling unit per acre is slightly below the Comprehensive Plan density range of 5 to 8 units per acre recommended in the R5-8. However, it is within the density range of surrounding properties (3.95 – 6.48 units per acre) also within the R5-8 land use classification. The application meets land use policies set forth in the Comprehensive Plan for Residential 5-8 units per acre.

C. Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.

Findings: The staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

D. Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.

Findings: The staff is of the opinion that the proposal will not result in a use which will cause an excessive or burdensome use of the existing infrastructure. The proposed development will be required to meet all current City codes and ordinances, which will require a stormwater management system.

E. Whether the zoning proposal is in conformity with the policies and intent of the land use plan.

Findings: The staff is of the opinion that the proposed use is consistent with the intent of the Comprehensive Plan. The Comprehensive Plan category for the property is Residential 5 to 8 Unit Per Acre. The applicant is proposing a slightly lower density of 4.1 units per acre. However, the proposal provides a transition from property adjacent to and south of the subject property with a density of 3.95 (Cameron Manor) and adjacent property to the east with a density of 6.48 units per acre (Forrest Place). Approximately 40% of the site will remain in undisturbed green space as a result of required stream buffering.

F. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

Findings: The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

G. *Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.*

Findings: The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs. The proposal will be required to meet all current City codes.

VARIANCE CONSIDERATIONS

Article 22 Appeals, of the Zoning Ordinance indicates the following are considerations in granting variances, of which only one has to be proven:

1. *Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,*
2. *The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or*

The applicant is requesting four (4) concurrent variances as outlined below. The applicant has indicated that the variances being requested will be in harmony with the policy and intent of the Zoning Ordinance and will not result in any harm to the health, safety and welfare of the general.

1. Variance from 4.23.1 to reduce the front landscape along Forrest Park Drive from 40 feet to 20 feet.

Findings:

Staff is of the opinion that the request to reduce the forty (40) foot front landscape strip to twenty (20) feet is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. Approximately 180 feet of the 402 feet of lot frontage on Hammond Drive is within the stream protection buffer and will remain in its current wooded landscape condition. Buildings constructed closer to the street create more walkability. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

2. Variance from 7.2.3.G.4 to reduce the front yard perimeter setback to a street (Forrest Park Drive) from 40 feet to 20 feet.

Findings:

Staff is of the opinion that the reduction of the required 40 foot setback to 20 feet is in harmony with the intent of the Zoning Ordinance. The request is adjacent to the entrance to the development. Realignment

Prepared by the City of Sandy Springs Department of Community Development for the Planning Commission Meeting January 15, 2015

of the existing Lake Forrest Drive right-of-way and offsetting the centerline 40 feet into the property results in a limitation of the buildable area. Moving the buildings closer to the street promotes walkability. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

3. Variance from 7.2.3.G.5 to reduce the side setback adjacent to a street (Hammond Drive) from 40 feet to 30 feet.

Findings:

Staff is of the opinion that the request to reduce the side setback adjacent to a street along Hammond Drive from 40 feet to 30 feet is in harmony with the intent on the Zoning Ordinance and would not cause a detriment to the public. The realignment of the Hammond Road right-of-way and offset of 40 feet from the centerline of the road results in a limitation of the buildable area. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

4. Variance from 12B.4 to allow the existing streetscape along Hammond Drive to remain.

Findings:

Staff is of the opinion that allowing the existing streetscape along Hammond Drive to remain is in harmony with the intent of the Zoning Ordinance. The current streetscape includes the city sidewalk and a retaining wall along a portion of the sidewalk facilitating the preservation of existing trees. However, based upon the recommendation of the Public Works Department noted below, the staff recommends DENIAL of this variance request.

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on December 3, 2014 at which the following departments had comments. The staff has received additional comments from the Fulton County Board of Education and Fulton County Department of Water Resources (see attachments).

Transportation Planner	<u>Background Information</u>
	<ul style="list-style-type: none"> - Lake Forrest Drive is classified a Collector Street with a posted speed of 35mph and average daily traffic of 5,430 (GDOT, 2013). - Hammond Drive is classified a Minor Arterial Street with a posted speed of 35mph and average daily traffic of 10,770 (GDOT, 2013).
	<u>Overlay District Requirements</u>
	<ul style="list-style-type: none"> - The Suburban Overlay District streetscape is required for both street frontages.
Transportation Planner	<u>Recommended Conditions</u>
	<ul style="list-style-type: none"> - The minimum driveway depth for each townhome unit shall be 18 feet. - Public Works does not support Variance 4 to allow the existing streetscape to remain. Hammond Drive and Lake Forrest sidewalk and streetscape shall be improved to meet Suburban Overlay District standard, where it does not currently comply with requirements.
	<i>At the time of permitting, the site shall meet requirements of Articles 11 and 12 of the</i>

	<p><i>Development Ordinance. Based on a review of the zoning site plan, please note the following:</i></p> <ul style="list-style-type: none"> - All proposed streets shall be designed to public street standards §103-70. - The minimum setback for gates in open or closed position is 40 feet from the edge of pavement, and design shall provide for a minimum clear turnaround distance of 20 feet between the vehicular storage and the gate, §103-72. - The minimum right-of-way or shared easement for the proposed street is 50 feet. A 20-foot right-of-way miter is required at intersection of Hammond Drive and Lake Forrest Drive, §103-75. - The minimum lane width for existing streets is 12 feet. - Proposed street access shall meet minimum sight distance of §103-77. - All frontages shall meet curb and gutter requirements, §103-79. <p>Sidewalks are required on both sides of proposed street, §103-80.</p>
Arborist	A variance is required for the construction of the detention pond in the 75' buffer if there is a concrete wall associated with it.

PUBLIC INVOLVEMENT

Public Comments

- Connect detention ponds (property to the south)
- 10 townhomes on front 1.5 ac-density not spread across entire property
- The neighborhood to the south will be used for a turnaround (proposal has a right in right out entrance)
- Specific Landscaping for buffer
- Guarantee only 10 homes will be built.

CONCLUSION TO FINDINGS

The Comprehensive Plan clearly supports a variety of housing types and uses. Although, the proposed density is slightly lower than the range suggested by the Future Land Use Map for R5-8, it is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies. Therefore, based on these reasons; the staff recommends **APPROVAL CONDITIONAL** of the rezoning petition and the concurrent variances.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to rezone the subject property from R-1 (Single Family Dwelling District) to TR (Townhouse Residential District), the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Townhouses at a density of 4.11 units per acre or 10 units, whichever is less.
2. To the owner's agreement to abide by the following:

- a. To the site plan received by the Department of Community Development dated November 4, 2014. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
 - a. To reduce the front landscape along Forrest Park Drive from 40 feet to 20 feet;
 - b. To reduce the front yard perimeter setback to a street (Forrest Park Drive) from 40 feet to 20 feet;
 - c. To reduce the side setback adjacent to a street (Hammond Drive) from 40 feet to 30 feet;
 - d. To apply for and obtain a stream buffer variance if the construction of the detention pond shown on the submitted rezoning site plan involves the construction of a concrete wall or other structure necessitating a stream buffer variance; and
 - e. The minimum driveway depth for each townhome unit shall be 18 feet.

Attachments

- Letter of Intent dated received October 29, 2014
- Site Plans October 29, 2014
- Additional comments from Fulton County School System: Impact Report and City of Atlanta water
- Public Comment Letter of opposition (0)

October 29, 2014

Ms. Linda Abaray
City of Sandy Springs
Community Development
7840 Roswell Road
Building 500
Sandy Springs, GA 30350

2014 03938
RECEIVED

OCT 29 2014

City of Sandy Springs
Community Development

RE: **Zoning and Variance - Letter of Intent**
The Ten on Lake Forest - 5996 Lake Forest Dr.

Dear Ms. Abaray,

Jeff Herman with Paramount Community Builders requests that 2.436 acres located at 5996 Lake Forest Drive in Sandy Springs be rezoned from R-1 to TR with variances. The gated development will be 10 attached townhomes contained within 3 buildings with ingress and egress from Lake Forest Drive. These townhomes will have a min. 3,500 SF with a three car garage. Several will be three stories with a basement with the remaining just being three stories. The site is encumbered by a stream, located on the westerly portion, requiring buffering and rendering 1.0 acres unbuildable.

The density of 10 townhomes on 2.436 acres is 4.1 units per acre and a medium density in keeping with the future zoning land use plan. In order to get this density and provide the desirable unit size there are four variances requested. They are as follows:

1. Reduce the building setback line along Forest Park Drive from 40' to 20'
2. Reduce the landscape strip along Forest Park Drive from 40' to 20'
3. Reduce the building setback line along Hammond Drive from 40' to 30'
4. Allow existing streetscape and sidewalk along Hammond Drive to remain as is.

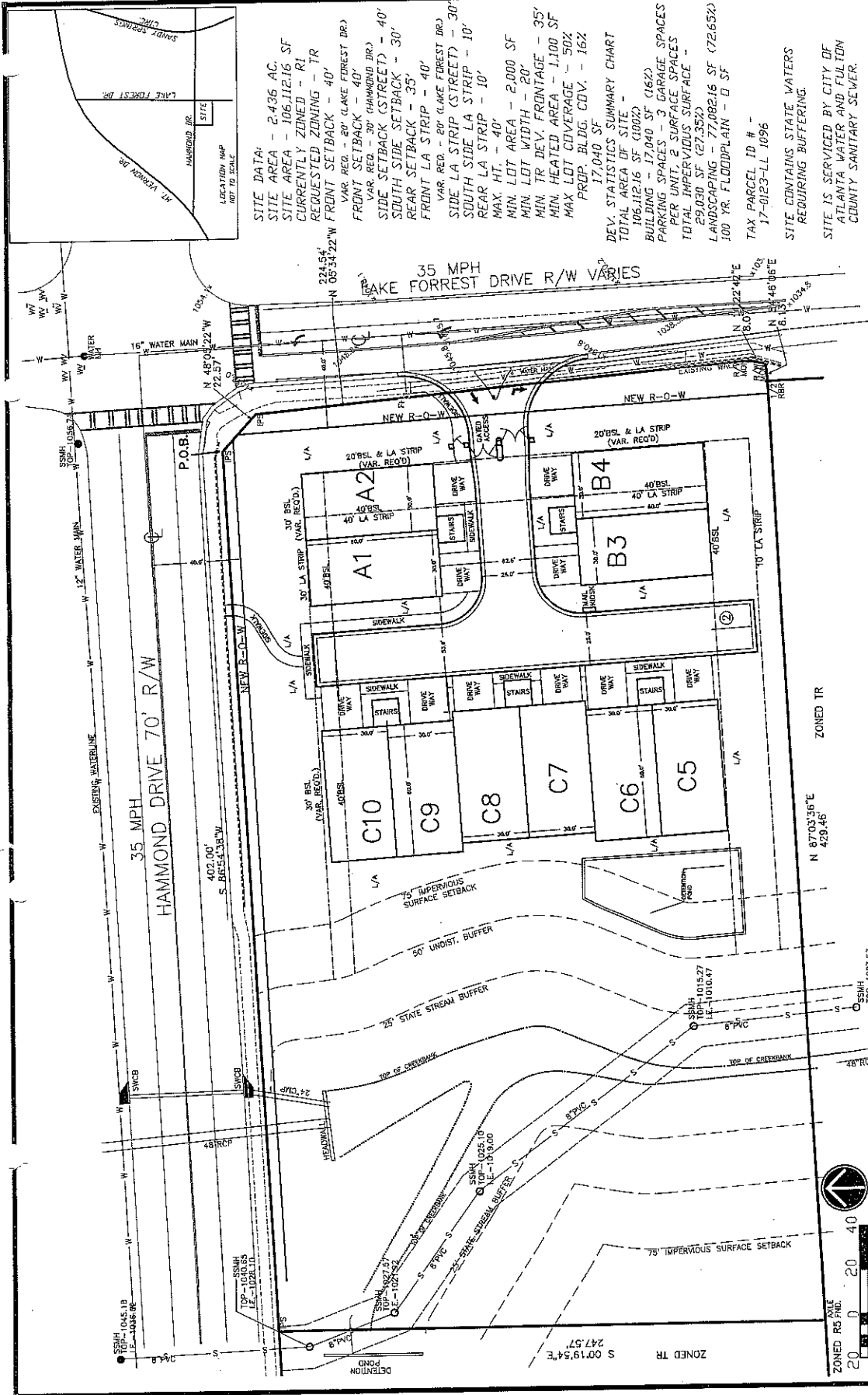
These requested variances are requested due to limited buildable area once the following are established:

1. Establishment of the new right of way along both roads after offsetting the centerline 40' into the property.
2. Establishment of the stream buffering within the western portion of the property and eliminating approximately 1.0 acres from being built on.

Sincerely,

Jeff Herman
Paramount Community Builders

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VARIANCE REQUESTS:

1. VARIANCE FROM ARTICLE VII, SECTION 7.2.3 OF THE ZONING ORDINANCE TO REDUCE THE FRONT BUILDING SETBACK FROM 40' TO 20' ALONG LAKE FOREST DRIVE.
2. VARIANCE FROM THE ZONING ORDINANCE TO REDUCE THE FRONT LANDSCAPE STRIP FROM 40' TO 20' ALONG LAKE FOREST DRIVE.
3. VARIANCE FROM ARTICLE VII, SECTION 7.2.3 OF THE ZONING ORDINANCE TO REDUCE THE FRONT BUILDING SETBACK FROM 40' TO 30' ALONG HAMMOND DRIVE.
4. VARIANCE REQUEST TO KEEP EXISTING SIDEWALKS ALONG HAMMOND DR. AS INSTALLED BY THE CITY.

DECEMBER
1923

NOTES

City of Sandy Springs
Community Development

201403935



SITE PLAN

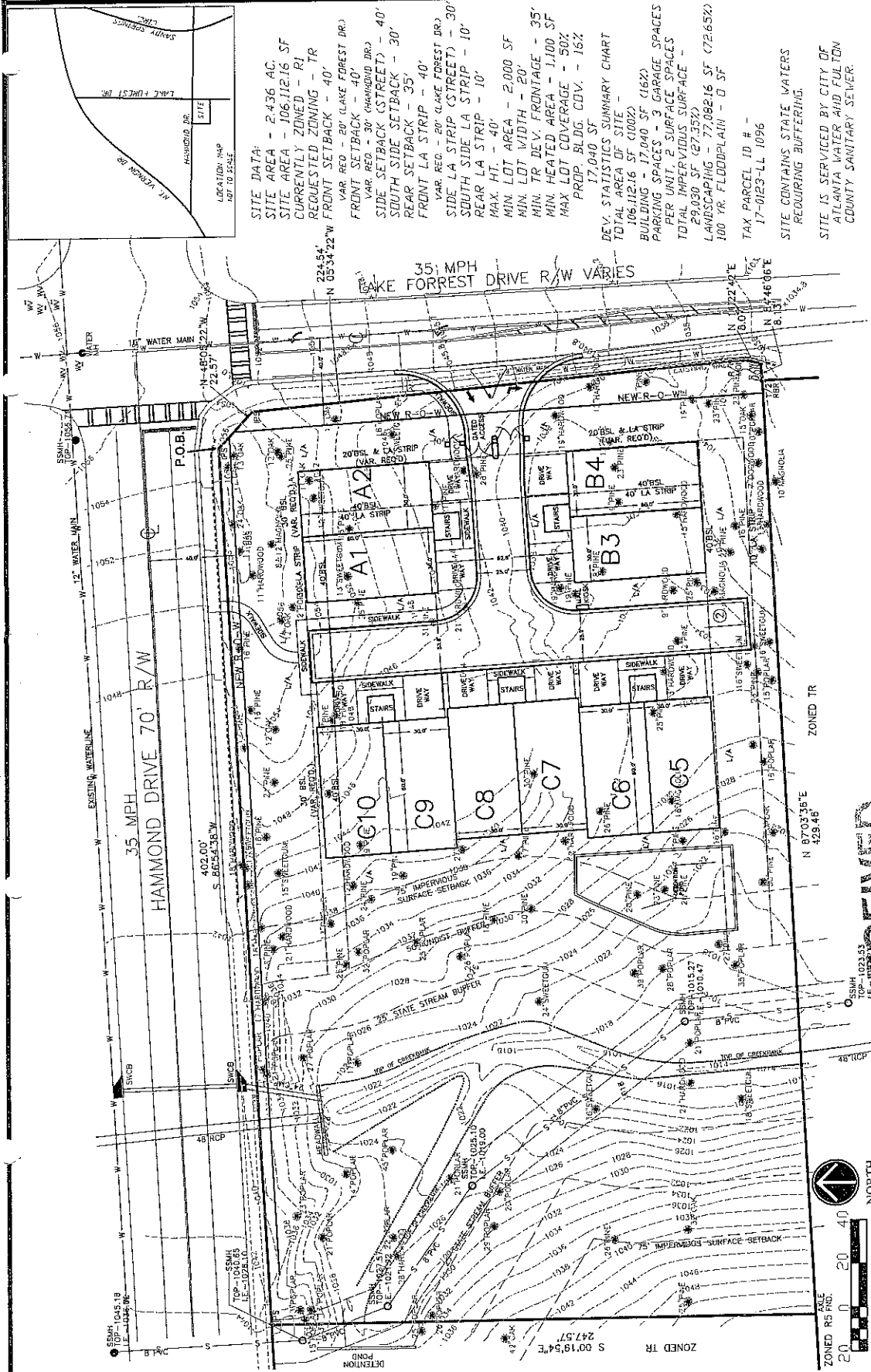
THE TEN at LAKE FOREST

TOWNHOMES
SPRINGS, GEORGIA

REVISIONS	DATE

PROJECT NO. 14-3670
DRAWN: [blank]
DESIGNED: [blank]
CHECKED: [blank]
DATE: [blank]

RZ-2



SITE DATA:
SITE AREA - 2.436 AC.
SITE AREA - 106,112.16 SF
CURRENTLY ZONED - R1
REQUESTED ZONING - TR
FRONT SETBACK - 40'
FRONT SETBACK - 40'
FRONT SETBACK - 40'
SIDE SETBACK (STREET) - 40'
SIDE SETBACK (STREET) - 30'
REAR SETBACK - 35'
FRONT LA STRIP - 40'
SIDE LA STRIP (STREET) - 30'
SIDE LA STRIP (STREET) - 10'
REAR LA STRIP - 10'
MAX. HT. - 40'
MIN. LOT WIDTH - 20'
MIN. TR DEV. FRONTAGE - 35'
MIN. HEATED AREA - 1,100 SF
MAX. LOT COVERAGE - 50%
PRIP. BLDG. COV. - 16%
17,040 SF
DEV. STATISTICS SUMMARY CHART
TOTAL AREA OF SITE -
106,112.16 SF (100%)
BUILDING - 17,040 SF (16%)
PARKING SPACES - 3 GARAGE SPACES
PER UNIT - 2 SURFACE SPACES
TOTAL IMPERVIOUS SURFACE -
29,030 SF (27.35%)
LANDSCAPING 77,082.16 SF (72.65%)
100 YR. FLOODPLAIN - 0 SF

DEV. STATISTICS SUMMARY CHART
TOTAL AREA OF SITE -
106,112.16 SF (100%)
BUILDING - 17,040 SF (16%)
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 4. VARIANCE REQUEST TO KEEP EXISTING SIDEWALKS ALONG HAMMOND DR. AS INSTALLED BY THE CITY.

RECEIVED

6 OCT 9 2014

City of Sandy Springs
Community Development



NORTH

Fulton County Schools - Rezoning Impact Statement

PETITION: 201403938

JURISDICTION: Sandy Springs

Proposed Residential Units

Single-family detached 0 Townhouses 11 Apartments 0 Condominiums 0

HOME SCHOOL	CURRENT ENROLLMENT ^A	GADOE CAPACITY	ESTIMATED # NEW STUDENTS GENERATED	PROJECTED UNDER/OVER CAPACITY ^B	
				WITHOUT DEV	WITH DEV
Heards Ferry ES	693	625	0 to 1	68	68 to 69
Ridgeview Charter MS	1,102	1200	0 to 0	-98	-98 to -98
Riverwood Charter HS	1,551	1325	0 to 1	226	226 to 227
TOTAL			0 to 2		Insufficient historical data to run report? <input type="checkbox"/>

HS REGION: Riverwood Charter HS

One single-family detached unit generates:

AVERAGE - 1 STD DEV

0.011618	to	0.234504	elementary school students
0.000000	to	0.071573	middle school students
0.002532	to	0.147522	high school students

One townhouse unit generates:

0.006694	to	0.103282	elementary school students
0.000000	to	0.029924	middle school students
0.013470	to	0.082704	high school students

One apartment unit generates:

0.017346	to	0.647094	elementary school students
0.000000	to	0.209417	middle school students
0.020138	to	0.24105	high school students

One condominium unit generates:

0.000000	to	0.380842	elementary school students
0.000000	to	0.08986	middle school students
0.000000	to	0.153862	high school students

AVERAGE OPERATIONAL COST PER STUDENT (FY14):

TOTAL COST: \$12,286 PORTION LOCAL REVENUE SOURCES: \$8,209 PORTION STATE AND OTHER REVENUE SOURCES: \$4,077

^A Based on first-month enrollment count for 2014-15 school year

^B Positive values indicate numbers of students a facility is over state capacity / negative values indicate number of students a facility is under state capacity.

* State capacity indicates space. However due to the number of special programs, portable classrooms or other measures may be needed to accommodate the instructional needs of the school.

** Student yields are calculated annually based on geocode of enrolled FCS students in built-out developments within the high school zone in which the proposed development is located.



Kasim Reed
MAYOR

CITY OF ATLANTA

Jo Ann J. Macrina, PE
COMMISSIONER

DEPARTMENT OF WATERSHED MANAGEMENT

72 MARIETTA STREET SE
ATLANTA, GEORGIA 30303-3544
OFFICE 404-546-3230
FAX 404.739.3306

December 16, 2014

Linda Abaray
City of Sandy Springs
Department of Community Development
Planning and Zoning Division
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

Subject: Water Availability for 5996 Lake Forrest Drive, Sandy Springs, Ga.

Dear Linda Abaray,

Our records indicate that there is an existing 16 inch water main located within the roadway on the west side of the center line on Lake Forrest Dr. between Hammond Dr. and Cameron Manor Way NW. This water main is owned and maintained by the City of Atlanta.

To integrate into Atlanta Water System or rearrange water facilities, the developer must submit the following to the City of Atlanta-Bureau of Engineering Services:

1. A set of stamped engineering drawings showing their developmental objectives for review and approval.
2. The enclosed basis of design form to include all applicable information, with a copy of a City of Atlanta fire hydrant flow test. Contact the Bureau of Engineering Services office of Meter Application at 404-330-6091 for payment and scheduling for the flow test.
3. A two thousand dollar deposit (\$2000.00). Check must be payable to City of Atlanta.

Once the plans have been approved, the developer will then receive additional instructions regarding the process and procedures from the Bureau of Engineering Services.

Should additional information be needed, please contact Jarrell Thornton at 404-546-3249.

Sincerely,



Jarrell Thornton

Cc: Parett Smith